

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

AMERICAN PRESIDENT LINES, a
corporation,

No. C 07-3221 MMC

Plaintiff,

ORDER OF DISMISSAL

v.

FORTA CORPORATION, a corporation,

Defendant

/

The parties having advised the Court that they have agreed to a settlement of the
above-titled action,

IT IS HEREBY ORDERED that plaintiff's claims be dismissed without prejudice;
provided, however, that if any party hereto shall certify to this Court, within ninety days, with
proof of service of a copy thereon on opposing counsel, that the agreed consideration for
the settlement has not been delivered, the foregoing order shall stand vacated and the
action shall forthwith be restored to the calendar to be set for trial.

The Case Management Conference scheduled for September 28, 2007 is
VACATED.

IT IS SO ORDERED.

Dated: September 25, 2007


MAXINE M. CHESNEY
United States District Judge